IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): E. Klosterman et al.   ATT. DOCKET NO. 10004283-1

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TITLE: Printer Driver Access Interface   CONFIRMATION NO. 9384

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REPLY BRIEF

Reiterating The Test For Anticipation -- Calling Add-On Modules In Response To Initiation Of A Print Job

The Examiner acknowledges Howard is "not entirely clear on timing" but asserts, nevertheless, that it is sufficient that Howard "suggests" calling add-on modules in response to initiation of a print job. Answer page 7. What Howard may or may not suggest is wholly irrelevant to the question of anticipation. To support the Section 102 rejection, Howard must teach each and every claim limitation, it must be enabling, and it must describe the claimed subject matter sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention. *Helifix Ltd. v. Blok-Lok*, 208 F.3d 1339 (Fed. Cir. 2000); *In re Paulsen*, 30 F.3d 1475 (Fed. Cir. 1994); MPEP § 2131.

In the method of Claim 1, the actions relating to the add-on module are taken when a print job is initiated -- "receiving a call from the printer driver indicating that a print job is initiated." Howard plainly does not teach, enable, and describe this condition sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention, as required to support the Section 102 rejection. With due respect, there is just no way an ordinarily skilled artisan would, after reading Howard, know to (or know how to) determine whether any of the add-on modules are responsive to a call from the printer driver indicating that a print job is initiated and, in response to determining that

an add-on module is responsive to the call, connect the responsive add-on module to the printer driver via the interface module.

On the contrary, Howard seems to suggest his optional features are added to the device driver when the driver is installed on the operating system of a host computer, not later when each print job is initiated. Howard column 8, lines 57-58 and column 9, lines 43-44. Again, in view of the nature of the optional features in Howard, adding these features to the driver when the driver is installed would be more efficient (and therefore more likely) than calling them up each time a print job is initiated. Nevertheless, the important factor in the present discussion is that Howard does not teach, enable, and describe this claim element sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention, as required to support the rejection. Nor is it necessary in Howard that the optional features be added to the driver in response to initiation of a print job. Howard, therefore, does not inherently teach calling an add-on module in response to the initiation of a print job.

Reiterating The Test For Anticipation -- Inserting Data Or A Command Into The Print Stream

The Examiner asserts in the Answer that inserting data or a command into the print stream is inherent in Howard as being necessary to implement an add-on feature such as, for example, duplex printing. Answer page 8. The Appellants do not dispute that data or commands associated with any particular function or feature related to a print job must be included in the print stream if that function or feature is to be implemented. Claims 7 and 8, however, require more than simply including, somehow, the appropriate data or command in the print stream.

Claim 7 depending from Claim 1 (through Claim 6) recites the further limitation that the add-on module inserts data into the print stream. Clam 8 depending from Claim 1 (through Claim 6) recites the further limitation that the add-on module inserts a command into the print stream.

Claim 6 (from which Claims 7 and 8 depend) recites that the print stream comprises at least one access point and that the method includes:

receiving a call from the printer driver indicating that an access point has been reached;

determining whether any of the add-on modules are responsive to the call; and

in response to determining that at least one add-on module is responsive, connecting the at least one responsive add-on module to the printer driver via the interface module.

Thus, in the method of Claim 6, a print stream exists and it includes an access point; the printer driver is already involved with the print stream because a call is received from the printer driver indicating that an access point has been reached; and then an add-on module is connected to the printer driver. In the method of Claim 7, the add-on module thereafter inserts data into the print stream. This methodology, therefore, requires more than that the data simply exists in the print stream without regard to how or when that data comes to exist in the print stream.

As detailed in the Appeal Brief, there is no mention in Howard of a print job or overhead added to the print job generally, and more specifically, there is no mention of inserting data into the print job/overhead or inserting a command into the print job/overhead as claimed. The Examiner has not made any showing whatsoever that Howard teaches, enables and describes the specific methodology of Claim 7 (or Claim 8) depending from Claim 6 depending from Claim 1 sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention, as required to support the rejection. Rather, he has asserted only that data or commands associated with any particular function or feature related to a print job must be included in the print stream if that function or feature is to be implemented. This assertion falls far short of the showing need to support the Section 102 rejection of Claims 7 and 8.

Respectfully submitted,

/Steven R. Ormiston/

Steven R. Ormiston
Attorney for Appellants
Reg. No. 35,974